

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

EMANUEL G. REED,

Petitioner,

Case No. 05-C-395

v.

DANIEL BENIK,

Respondent.

OPINION AND ORDER

In conformity with the mandate issued by the United States Court of Appeals for the Seventh Circuit on October 17, 2005, which vacated the judgment entered on June 28, 2005, the court ORDERS that this action is dismissed for lack of jurisdiction.

IT IS FURTHER ORDERED that the Clerk of Court shall enter a judgment of dismissal as a separate document. See Federal Rule of Civil Procedure 58. This judgment shall provide that:

Emanuel Reed's Petition for a Writ of Habeas Corpus came before the court, the Honorable Thomas J. Curran, district judge, presiding, and the court lacking jurisdiction,

IT IS ORDERED AND ADJUDGED

that this action is dismissed with prejudice.

Done and Ordered in Chambers at the United States Courthouse,
Milwaukee, Wisconsin, this 14th day of November, 2005.

s/ Thomas J. Curran
Thomas J. Curran
United States District Judge